

Article - Environment

[\[Previous\]](#)[\[Next\]](#)

§16–106.

(a) (1) A person that undertakes or authorizes an activity that requires a license or permit under this title shall:

- (i) Hire a licensed marine contractor to do the work; or
- (ii) Be a licensed marine contractor.

(2) Notwithstanding any other provision of law, a residential or commercial property owner shall be exempt from the requirement to be or to hire a licensed marine contractor under subsection (a) of this section if:

(i) The property owner performs marine contractor services on the property owner's own property; and

(ii) The property owner obtains the necessary tidal wetlands licenses or permits required under this title.

(b) (1) A person who violates subsection (a) of this section or any regulation adopted under this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$10,000 or imprisonment not exceeding 1 year or both.

(2) Each day that a person conducts marine contractor services without a license constitutes a separate offense.

(c) (1) In addition to any other sanction under this section, a civil action may be brought against a person for a violation of subsection (a) of this section or any regulation adopted under this section.

(2) A person may be liable for a civil penalty under this subsection not to exceed \$10,000 for each violation.

(d) Any penalties collected under this section shall be paid into the Wetlands and Waterways Program Fund established under § 5–203.1 of this article, for the administration of the Marine Contractors Licensing Board established under Title 17 of this article.

(e) The Department shall adopt regulations to administer and enforce the provisions of this section.

[\[Previous\]](#)[\[Next\]](#)